* Case No. 92-145-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1A04.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 20 ft. side yard setback in lieu of the required 50 ft., in an R.C.5 zone, for a single story addition, as more particularly described on Petitioners' Exhibit No.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the 日 第 ま B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

AFFIDAVIT IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

MonKlan Mil 21111

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) 1. Vanimie is needed So we CAN CONSTRUCT A Single STORY Addition WMICH IS Audid For FAMILY Expansion.

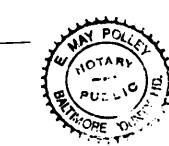
2. Count oi of The fill. Tion is on The North Side of The Horse To MATAIN Dupe DLANAR. 3. Aldition will Provide Mich rudel Storage Space. That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, 19____, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Chill K. Walle K. C. F. B. Haring and Clements

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.



Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this Siday of A. 1991 that the Petition for a Zoning Variance from Section 1A04.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 20 ft. side yard setback in lieu of the required 50 ft., in an R.C.5 zone, for a single story addition,, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

> > Zoning Commissioner for Baltimore County

LES/mmn

14) ZONING DESCRIPTION

Beginning AT A Point on THE North Side of CHETER FILL CT. WHICH IS 17' wide AT A DISTANCE 248 FEET SOUTH of THE CITE CONE OF THE NEAREST IMPROVED INTERSETTING STREET CHESTER FIELD CT. WHICH IS 50' Right-of-way width wide Being 6-# 12 Block 50 SETION 77 IN THE Subdivision of CHESTER Field As Recorded IN BATTMONE COUNTY PLAT BOOK # 7450 Folio 377 Containing 68,880 Square Feet IN COT. ALSO KNOWN AS #6 CHESTER FILL CI And Cocated in The & # Election DSTRI Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

November 7, 1991

Mr. and Mrs. Eric R. Clemens 6 Chesterfield Court Monkton, Maryland 21111

> RE: Petition for Residential Zoning Variance Case No. 92-145-A

Dear Mr. and Mrs. Clemens:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

cc: Peoples Counsel

<u> </u>	Date of Posting
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nonly of Delitania	, , , , , , , , , , , , , , , , , , , ,
Mary	Date of return: 10/25/91

Baltimore County
Zoning Commission
County Office Building Zoning Commisioner County Office Building 111 West Chesapeake Avenue

Account: R-001-6150

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PUBLIC HEAD CAR FREN	1 7	PRICE
POST OF SECURITIES OF SECTION	•	\$35.70
ORE THE YORK STORE . AND ENTIRE	. to je	\$25.00
LAGI PAME OF OWNER: CLEMENS	TOTAL:	‡60.00

Please Make Chick [Part 1964 [PAI] SHROOTE County \$60.00

PETITION FOR RESIDENTIAL VARIANCE

Contract Purchaser:

City/State/2ip Code

Attorney for Petitioner:

the description and plat attached hereto and made a part hereof, petition f 1 AO4.4 To Mlow 20' Side yd. Set Back in Ciev of The Revised So'IN DN RC-5 ZONE

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty) 2. Contion of The Add top is on the worth Sid of TH House

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

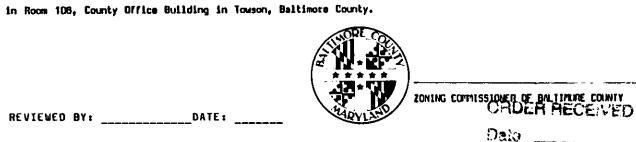
> I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. 6 Constantical CT. 77 8163 Monton M. 21111 Name, address and phone number of legal owner, contract

ORDERED by the Zoning Commissioner of Baltimore County, this 157 day of 1971; that the subject matter of this petition be posted on the property on or before the 2000 day of 2000, 19 3000

ZONING COMMISSIONER OF BALTIMONE COUNTY

purchaser or representative to be contacted.

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED. IT IS FURTHER DROERED by the Zoning Commissioner of Baltimore County, this _____ day of ______, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspopers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zonling Commissioner of Baltimore County



Baltimore County Government

and Development Management Office of Planning & Zoning

Office of Zoning Administration

Bris and Katherine Clemens 6 Chesterfield Court Monkton, MD 2111

LOCATION: N/S Chesterfield Court, 630' (+/-) from c/l of Corbett Road, past Baconsfield Lane 6 Chesterfield Court 8th Election District - 3rd Councilmanic

111 West Chesapeake Avenue

Towson, MD 2120+

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 20, 1991. The closing date is November 4, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

